

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

**DECLARATION OF
SUZANNA PUBLICKER**

Plaintiff,

-against-

10-CV-6005 (RWS)

THE CITY OF NEW YORK, et al.,

Defendants.

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SUZANNA PUBLICKER, an attorney duly admitted to practice in the Courts of New York, declares, under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the following statements are true:

1. I am an Assistant Corporation Counsel in the Office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney Queens District Attorney Richard Brown (“Queens DA”). As such, I am familiar with the facts and circumstances stated herein and submit this declaration to place the relevant documents in the record in support of the Queens DA’s motion to quash plaintiff’s subpoenas pursuant to Rules 26 and 45 of the Federal Rules of Civil Procedure. In support of its motion, the Queens DA submits the exhibits described below.

2. Annexed as Exhibit “A” is a copy of the Subpoena dated February 28, 2013, which was served upon the Queens DA by plaintiff on March 1, 2013. The subpoena demands the appearance of the Queens DA for a deposition beginning on Monday, March 18, 2013. The subpoena also demands the production of “[a]ll documents pertaining to the investigation of criminal behavior concerning the entry into and removal of Adrian Schoolcraft from his home on

October 31, 2009, as reflected in the attached Statement by District Attorney Richard A. Brown, dated December 4, 2012."

3. Annexed as Exhibit "B" is a copy of plaintiff's Second Amended Complaint dated October 3, 2012, filed with the United States District Court, Southern District of New York.

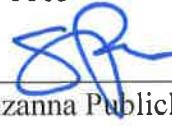
4. Annexed as Exhibit "C" is a copy of Graham Rayman's article published in the Village Voice on March 1, 2013 titled *Lawyers for Whistleblower Cop Slap Queens District Attorney Richard Brown With A Subpoena*.

5. Annexed as Exhibit "D" is a copy of the correspondence from the undersigned to plaintiff on March 4, 2013 regarding plaintiff's March 1, 2013 subpoena.

Dated: New York, New York
March 14, 2013

MICHAEL A. CARDOZO
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City of New York
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